

STATE OF INDIANA )  
 )SS:  
COUNTY OF \_\_\_\_\_)

IN THE \_\_\_\_\_ COURT \_\_\_\_\_  
(\_\_\_\_\_ DIVISION, ROOM \_\_\_\_\_)

CASE NO.

\_\_\_\_\_) )  
 Petitioner )  
           vs )  
 \_\_\_\_\_) )  
 Respondent )

**ORDER OF TRANSFER TO COURT**  
**HAVING JURISDICTION OF THE PARTIES OR THEIR CHILDREN**

This petition for an order of protection was required to be filed in another court because

\_\_\_\_ The petitioner and respondent are the parents of an unemancipated child and a final decree of paternity has been issued. Ind. Code § 31-14-16-1.

\_\_\_\_ The petitioner and respondent are the parties to a dissolution of marriage or a legal separation action that is pending. Ind. Code. § 31-15-4-1(b); Ind. Code § 31-15-5-1.

\_\_\_\_ The petitioner and respondent are the parties to a dissolution action in which a decree establishing child custody and parenting time was issued, and the requested relief will effectively modify the decree. **Meade v. Marshall Superior Court II**, 644 N.E.2d 87 (Ind. 1994).

This Court has considered a petition for (and entered) an Ex Parte Order for Protection as required by Ind. Code § 34-26-5-6(3). However,

\_\_\_\_ under Ind. Code § 34-26-5-9, Ind. Code § 34-26-5-10(b), and Ind. Code § 34-26-5-6(4) a hearing on the petition is required to be held in another court.

\_\_\_\_\_ under Ind. Code § 34-26-5-10(a) and Ind. Code § 34-26-5-6(4) a hearing, if requested by the respondent, must be held in another court.

\_\_\_\_\_ the petition involves a juvenile respondent, so the hearing, if requested by respondent, should be held in juvenile court. Ind. Code § 34-26-5-2(d).

\_\_\_\_\_ the petition seeks an order controlling the conduct of a person in relation to a child who is the subject of a juvenile proceeding, so the hearing, if requested by respondent, should be held in juvenile court. Ind. Code § 31-32-13-1(1).

Therefore, the Court transfers this proceeding to \_\_\_\_\_ for hearing (if requested) in connection with case number \_\_\_\_\_.

This Court's Ex Parte Order for Protection does not alter the custody or parenting time rights of the parties. Ind. Code § 34-26-5-9(c)(2).

Any order of the proper court regarding custody, parenting time or possession or control of property shall supersede the order of protection issued by this court. Ind. Code § 34-26-5-9(g).

In the event the transferee court may decline transfer, this Court's Order for Protection shall remain in effect for thirty (30) days from today's date to permit the petitioner or respondent to petition for appropriate relief from the proper court, including without limitation an emergency petition for modification of custody or parenting time in a paternity, dissolution or separation action or a petition for an emergency order to control the conduct of a person in relation to a child. Ind. Code § 31-32-13-1(1).

DATE: \_\_\_\_\_

Signed: \_\_\_\_\_  
\_\_\_\_\_ Judge